

**SUFFOLK SCHOOL BOARD
CURRENT TRANSGENDER POLICY
ADOPTED AUGUST 12, 2021**

Section 1-6.2:1. Definitions; Discrimination, Harassment and Bullying Prohibited; Student Privacy and Confidentiality Required; Use of Name and Gender Pronouns; Legal Name and Sex at Birth Required on School Records; Dress and Grooming Codes; Segregating Students Prohibited; Access to Restrooms, Locker Rooms and Changing Facilities; Professional Development and Training; Superintendent to Develop Guidelines. – A. The following definitions are not meant to label individuals but to enhance the division’s understanding of transgender issues and guide actions and discussion of related topics:

Cisgender. An adjective describing a person whose gender identity corresponds with the gender society typically associates with the sex they were assigned at birth.

Gender. A set of social, psychological, and emotional traits that classify an individual as typically masculine or feminine, although the social construct of gender may be more diverse across a continuum rather than as a binary system.

Gender-expansive/ gender-diverse/ gender-fluid/ gender-nonbinary/ agender/ gender queer. Terms that convey a wider, more inclusive range of gender identity and/or expression than typically associated with the social construct of a binary (two discrete and opposite categories of male and female) gender system.

Gender Expression. The manner in which a person represents or expresses their gender identity or role to others, often through appearance, clothing, hairstyles, behavior, activities, voice, or mannerisms. Gender expression may change over time and from day-to-day and is not necessarily related to the person’s gender identity.

Gender Identity. A person’s internal sense of their own identity as a boy/man, girl/woman, another gender, no gender, or outside the male/female binary. Gender identity is an innate part of a person’s identity and can be the same or different from society’s expectations with the sex they were assigned at birth.

Gender Nonconforming. A person who does not conform to gender stereotypes. Their gender expression differs from society’s expectations associated with the sex assigned at birth. Being gender nonconforming is distinct from being transgender, though some transgender people may consider themselves to be gender non-conforming.

Gender Transition. The process of shifting toward living according to their gender identity, rather than the sex assigned at birth. Transitions can be at different levels, including social transition, such as new names, pronouns, appearance, and clothing. Some people may undergo medical transitions, such as hormone therapy or surgery.

LGBTQ+: An acronym for “lesbian, gay, bisexual, transgender, queer/questioning, and others.” • **Nonbinary:** a term used to refer to people whose gender identity is not exclusively male or female, including those who identify with different gender, a combination of genders, or no gender.

Nonbinary may be considered a subset of transgender or a distinct 7 identity. Other similar terms may include genderqueer, gender fluid, agender, or Two Spirit (for Native American Indian, Alaska Native, First Nation, or Indigenous communities).

Sex Assignment: A label, generally “male” or “female,” that is typically assigned at birth on the basis of a cluster of physical and anatomical features. Intersex refers to someone whose combination of chromosomes, gonads, hormones, internal sex organs, and genitals differs from the two expected patterns of male or female.

Transgender: A self-identifying term that describes a person whose gender identity is different from their sex assigned at birth. A transgender girl is a girl who was presumed to be male when she was born, and a transgender boy is a boy who was presumed to be female when he was born. Note that there is a wide range of gender identities in addition to transgender male and transgender female, such as nonbinary.

B. The School Board prohibits any and all discrimination, harassment, and bullying based on an individual’s actual or perceived race, color, national origin, religion, sex, sexual orientation, gender identity, disability, or any other characteristic protected by law. Any incident or complaint of discrimination, harassment, or bullying will be given prompt attention, including investigating the incident and taking appropriate corrective action, by the school administrator. Complaints alleging discrimination, harassment, or bullying based on a student’s actual or perceived gender identity will be handled in the same manner as other discrimination or harassment complaints. The Chief of Operations for Suffolk Public Schools will be available to hear concerns from students and parents when complaints are not resolved at the school level.

C. All school personnel must adhere to legal standards of confidentiality relating to information about a student’s gender identity, legal name, or sex assigned at birth. In addition to adhering to all legal standards of confidentiality, school personnel must treat information relating to a student’s gender identity as being particularly sensitive, must not disclose it to other students and other parents, and must only disclose to other school personnel with a legitimate educational interest. Schools will need to consider the health and safety of the student in situations where students may not want their parents to know about their gender identity, and schools should address this on a case-by-case basis. If a student is not ready or able to safely share with their family about their gender identity, this should be respected.

D. Schools will allow students to use a name and gender pronouns that reflect their gender identity without any substantiating evidence. School staff will, at the request of a student or parent, when using a name or pronoun to address the student, use the name and pronoun that correspond to their gender identity.

E. Suffolk Public Schools is required to maintain a record that includes a student's legal name and sex assigned at birth and may be required to use or report the legal name and sex assigned at birth in some situations. In situations where school staff is required to use or to report a transgender student's legal name or sex assigned at birth, such as for purposes of standardized testing, school staff and administrators should adopt practices to avoid the inadvertent disclosure of such information. Upon the request of a student or parent, schools will use the name and gender consistent with the student's gender identity on other school records or documents. Schools will change a student's name and gender designation upon verification or submission of a legal document such as a birth certificate, state or federal issued identifications, passport, or court order. Records of former students may also be re-issued with the submission of legal documents substantiating the amended name and gender.

F. Dress and grooming codes must be written relating to the attire or articles of attire without limits on gender expectations. Students have a right to dress in a manner consistent with their gender identity or gender expression. Schools must administer and enforce dress and grooming codes consistently across the student body, regardless of actual or perceived gender identity or gender expression. Requirements for attire for school-related programs, activities, and events must be gender neutral.

G. Schools must eliminate the practice of segregating students by gender to the extent possible. For any school program, event, or activity, including extra-curricular activities that are segregated by gender, Suffolk Public Schools will allow students to participate in a manner consistent with their gender identity.

Whenever schools provide gender-specific activities such as physical education classes, students should be allowed to participate in a manner consistent with their gender identity. Students have the right to equitable access to programs, activities, and events that include but are not limited to acknowledgements, dances, assemblies, after-school programs, extracurricular activities, intramurals, non-competitive sports leagues, and field trips. For overnight field trips, the school should not force the student into single-occupancy accommodations that are not required for other students; however, such alternative accommodations should be made available to any student requesting them. It is important that school divisions adopt policies and procedures that are focused on the safety of all students and seek to address privacy interests in situations involving individuals undressing or showering. School divisions should ensure that all students who participate in extracurricular activities that involve overnight trips are aware of the school's policies and options available to them in advance.

Athletic participation regulated by the Virginia High School League (VHSL) or another organization must be in compliance with policies and rules outlined by those organizations.

H. All students are entitled to have access to restrooms, locker rooms, and changing facilities that are sanitary, safe, and adequate, so that they can comfortably and fully engage in their school programs and activities. Students should be allowed to use the facility that corresponds to their gender identity. While some transgender students will

want that access, others may want alternatives that afford more privacy. Taking into account existing school facilities, administrators should take steps to designate gender-inclusive or single-user restrooms commensurate with the size of the school. When schools have available gender-inclusive or single-user restrooms or private changing areas, these restrooms or areas should be accessible to all students without special codes or keys. Access to facilities such as restrooms and locker rooms that correspond to a student's gender identity will be available to all students. Upon request, single-user or gender-inclusive facilities or other reasonable alternatives will be made available to any student who seeks privacy. Any options offered will be non-stigmatizing and minimize lost instructional time. For locker room facilities without private changing areas, schools should make reasonable accommodations for requests for increased privacy. At the request of any student, schools should offer alternative arrangements such as a separate changing schedule, use of a nearby private area, access to a staff member's office, not requiring students to dress in uniform for physical education, or offering alternatives to in-person physical education. Any accommodations offered should be non-stigmatizing and minimize lost instructional time. Also, note that any information related to accommodations should be handled in such a way as to protect the student's privacy relating to their gender identity.

I. All school mental health professionals will be trained annually on topics relating to LGBTQ+ students, including safety and support for LGBTQ+ students. Training should include, but not be limited to the following:

- (1) Key LGBTQ+ terminology and the use of unbiased language to promote equality and justice for LGBTQ+ students;
- (2) Challenges and barriers frequently faced by LGBTQ+ students. This should heighten awareness of the implicit bias and discrimination that transgender students may encounter and identify the need for a gender-inclusive school;
- (3) Federal and state laws and local school board policies and regulations relating to the rights of all students to a safe learning environment. This should include expectations relating to preventing, identifying, and responding to bullying and harassment of transgender students. Another area to address is the student's rights to privacy and how unauthorized disclosures to peers, parents, school staff, and other third parties may negatively impact the student's safety and well-being;
- (4) Practices to create a safe, inclusive environment for all students. This should include strategies to promote understanding and foster positive relationships between LGBTQ+ students and their peers and the school community and steps to affirm LGBTQ+ students;
- (5) Knowledge of LGBTQ+ affirming resources for students and families.
- (6) Strategies to engage parents and other stakeholders regarding an inclusive school community that affirms LGBTQ+ students.

J. The school superintendent is authorized to establish regulations and/or guidelines consistent with this policy. (Adopted: August 12, 2021, Ordinance 21/22-19)